

REMARKS

This application has been carefully reviewed in light of the Office Action dated August 23, 2005. Claims 1 to 4, 7 to 10, 13 and 16 to 24 are pending in the application, with Claims 5, 6, 11, 12, 14 and 15 having been cancelled. Claims 1, 7, 13 and 22 to 24 have been amended, and Claims 1, 7 and 13 are in independent form. Reconsideration and further examination are respectfully requested.

In the Office Action, Claims 1 to 3, 5, 7 to 9, 11 and 16 to 21 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,378,887 (Kobayashi) in view of U.S. Patent No. 5,530,702 (Palmer) and U.S. Patent No. 6,729,550 (Seita); Claims 13, 14 and 22 to 24 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,631,848 (Gaultier) in view of Palmer and Seita; and Claims 4, 6, 10, 12 and 15 were rejected under 35 U.S.C. § 103(a) over Kobayashi, Palmer and Seita in view of U.S. Patent No. 6,724,103 (Parrault). Reconsideration and withdrawal are respectfully requested.

The present invention generally concerns controlling a non-contact communication card (or apparatus) having a communication component which communicates information in a non-contact state. A communication permission time period is set in advance, the communication permission time period being designated by a user. Upon receiving a communication request, a determination is made as to whether or not the current time at which the communication request is received is within the communication permission time period set in advance. Communication by the communication component is permitted when it is determined that the current time is within the communication permission time period. Communication by the communication component is prohibited when it is determined that the current time is not within the communication permission time period.

A feature of the present invention therefore lies in determining whether or not the current time at which a communication request is received is within a communication permission time period which is set in advance.

In this regard, the claimed current time can be seen to correspond with a current time of day, and the claimed communication permission time period can be seen to correspond with a start and end time of day during which communication is permitted. For example, the determination can be made whether the current time (of day) at which a communication request is received is within a start time (e.g., 7:00AM) and end time (e.g., 7:45AM) corresponding to a communication time period which is set in advance.

Referring specifically to the claims, independent Claims 1, 7 and 13 are respectively directed to an apparatus, a method and a computer program product.

The applied art is not seen to disclose or to suggest the features of the invention of the subject application. In particular, Kobayashi, Palmer, Seita, Gaultier and Parrault are not seen to disclose or suggest at least the feature of determining whether or not the current time at which a communication request is received is within a communication permission time period which is set in advance.

The Office Action acknowledges that Kobayashi does not disclose determining whether or not the current time at which a communication request is received is within a communication time period. However, the Office Action turns to Palmer for this alleged disclosure.

As understood by Applicant, Palmer discloses a method by which identifying information from a large group of data terminals can allegedly be received intelligibly and efficiently over a single communications medium without having to address each data terminal individually. See Palmer, column 4, lines 8 to 15. If a data

terminal receives a first acknowledgment signal from the network controller within a predetermined time period after transmitting the request to transmit signal, that data terminal concludes that it has been given permission to transmit and therefore transmits a data-containing signal: for example, a signal identifying the data terminal. See Palmer, column 4, lines 61 to 67. In addition, receipt of the first acknowledgment signal too early or too late with respect to when the request to transmit signal is sent causes a requesting RFID tag to generate a new random number to reset and restart its counter, and to reinitiate a communication sequence with a network controller. See Palmer, column 9, lines 5 to 16.

Although Palmer may be seen to disclose or suggest a method by which identifying information from data terminals can allegedly be received intelligibly and efficiently, Palmer is not seen to disclose or suggest determining whether or not the current time at which a communication request is received is within a communication permission time period which is set in advance.

As noted above in Palmer, the “predetermined time period” is seen to begin after transmitting a request to transmit a signal. In contrast, the communication permission time period of the present invention is seen to begin (and end) based on a designation by a user, and such communication permission time period is set in advance.

Furthermore, in Palmer, a new random number is used to reset and restart a counter, if receipt of the first acknowledgment signal is too early or too late. As such, the counter in Palmer is seen to be random. This is different than the present invention, which uses a current time, and which determines whether the current time at which a communication request is received is within a communication permission time period set in advance.

Seita is not seen to compensate for the deficiencies of Kobayashi and Palmer. In particular, although column 2, lines 34 to 45 of Seita may be seen to disclose that a user can change and set a predetermined period of time, the period of time in Seita merely seen to define a temporal release duration (e.g., 50 minutes). In contrast, since the present invention makes a determination using a current time, the communication permission time period of the present invention can be seen to correspond more closely with start and end clock times (e.g., 7:00AM and 7:45AM, respectively).

In addition, Gaultier and Parrault have been reviewed and are not seen to compensate for the deficiencies of Kobayashi, Palmer and Seita.

Accordingly, based on the foregoing amendments and remarks, independent Claims 1, 7 and 13 as amended are believed to be allowable over the applied references.

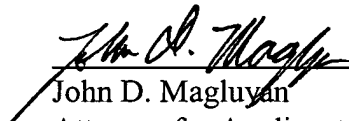
The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In this regard, Claims 16 to 24 are seen to provide further clarification and embodiments for the claimed communication permission time period. In its rejection of Claims 16 to 24, the Office Action is not seen to provide specific citations for the features of Claims 16 to 24, but is seen to merely allege that the art of record discloses the claimed features.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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